

REMARKS

The Office Action of January 12, 2004 has been received and its contents reviewed. Applicants would like to thank the Examiner for the consideration given to the above-identified application.

Claims 1-3 and 10-17 are pending in the present application, of which claims 1-3 and 11-16 are independent. In view of the following remarks, reconsideration of this application is now requested.

Referring now to the detailed Office Action, claims 1 and 11-16 stand rejected under 35 U.S.C. §102(e) as anticipated by newly cited Mano et al. (U.S. Patent No. 6,294,796 – hereafter Mano). Further, claims 2 and 3 stand rejected under 35 U.S.C. §103(a) as unpatentable over Mano, as applied to claim 1 above, and further in view of the previously cited Japanese Patent [4]04152676A (hereafter Japanese Patent ‘676). Finally, claims 10 and 17 stand rejected under 35 U.S.C. §103(a) as unpatentable over the Japanese Patent ‘676, as applied to claims 1-3 above, and further in view of Japanese Patent 2001-0283338.

With respect to the §102(e) rejection, the Examiner is contending that Figure 6e of Mano discloses a portion of the channel region 302a being concave shaped, and the channel width direction being parallel to a plane of the substrate. However, Figure 6e appears to show that the entire of the channel region is concaved with respect to a semiconductor island 302 and in a “film thickness direction” which is perpendicular to the plane of the substrate.

As mentioned in the previous Amendment filed October 16, 2003, the channel width direction means a direction which is perpendicular to the channel length direction and to the carrier flow direction and is parallel to the plane of the substrate. Hence, these directions should not be confused with the “film thickness direction” that is perpendicular to the plane of the underlying substrate. Moreover, since the Mano reference does not appear to disclose a plane view of the semiconductor island 302, it cannot be concluded that the portion of the channel region of Mano is concaved or convexed in the channel width direction.

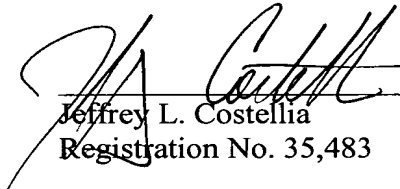
Applicants respectfully submit that the Examiner appears to interpret Fig. 6e of Mano in the similar manner as he did with Fig. 1(j) in the Japanese Patent 4-152676. The difference between the invention of the Japanese Patent 4-152676 and that of the present invention was discussed and understood by the Examiner as evident in the Interview

Summary of September 30, 2003. Additionally, to further clarify the difference, Applicants amended claims 1-3 and 11-16 as suggested by the Examiner to overcome the rejection over the Japanese Patent 4-152676. Therefore, in view of the above, Applicants respectfully request reconsideration and withdrawal of the §102(e) rejection of claims 1 and 11-16 over Mano.

With respect to the §103(a) rejections based on Mano as the primary reference, the arguments set forth above with respect to the §102(e) are also applicable, as the secondary references do not cure the above-discussed deficiency of Mano. Accordingly, Applicants respectfully request reconsideration and withdrawal of the pending §103(a) rejections.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise, which could be eliminated through discussions with Applicants' representative, then the Examiner is invited to contact the undersigned by telephone in order that the further prosecution of this application can thereby be expedited.

Respectfully submitted,



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